ANDY JORGENSEN

A voice for the 37th Assembly District, serving Jefferson & Dane Counties

JORGENSEN TESTIMONY REGARDING AB 424

Good afternoon Chairman Ott and members of the committee. I would like to thank the Chairman for scheduling a hearing on this legislation.

I authored Assembly Bill 424 at the request of the Jefferson County District Attorney in my district, Susan Happ. It is meant as legislation to protect everyone that works as an employee in a courthouse.

Current law reads that an individual who causes bodily harm to another individual is guilty of battery, which is a Class A misdemeanor. There are also more severe penalties for battery committed against certain public officials.

For instance, anyone who intentionally causes - or threatens to cause - bodily harm to a judge can be found guilty of a Class H felony. This is appropriate and a well-intentioned law.

However, there are many more people that work in courthouses all across our state. They range from judges, lawyers, clerical staff and county maintenance workers. If they are threatened, I believe they also deserve justice.

Not long along, there was an incident in the Jefferson County Courthouse that involved an enraged person entering the courthouse and yelled to employees that "If I had dynamite, I would blow you up."

If he really had explosives, he wouldn't have just blown up judges, but all those that work every day in that building. Similarly, his threat scared not just the judges, but all those in the building.

Jefferson County DA Susan Happ came to me when it became clear her prosecutory options were limited. For all the people that could have been hurt if the threat were real, there is nothing currently in statutes that would address what happened in her courthouse. DA Happ mentioned to me her difficulty in trying to file the appropriate charges against the perpetrator for the serious nature of his actions.

I worked closely with DA Happ in the intent and scope of this bill to try and find appropriate language so that if something like this happens again in a courthouse in our state, the individual making the treats can be held properly accountable.

Under this bill, an individual is guilty of a Class I felony if they intentionally cause, or threaten to cause, bodily harm to a court employee, which includes circuit court clerks and their employees, employees of the supreme court, district attorneys and deputy and assistant district attorneys, and state public defenders.

This bill also makes an individual guilty of a Class I felony if they threaten to cause damage to a courthouse and if the threatened action could result in bodily harm to a judge or court employee.

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These threats are unfortunately all too real. Last November, there was a brief lockdown just down the street at the Dane County Courthouse until law enforcement was able to determine that the person making the gun threats was not in the building. Just a little over two weeks ago, there was a threat made to blow up a county courthouse in North Carolina.

I hope that the penalties laid out in AB 424 will never have to be used. However, it is better to be prepared than not have such threats adequately addressed in our statutes.

Thank you again for this opportunity. If you, Chairman Ott, or the committee has any questions, I will be happy to take them now.